

### REMARKS

Reconsideration of the present application is respectfully requested.

Claims 1-3, 5-13, 15-25 and 27-28 previously presented for examination remain in the application. Claims 1, 5, 7, 13, 15, 18, 23 and 27 have been amended.

Claims 4, 14 and 26 have been canceled. No new claims have been added.

Claims 1-28 stand rejected under 35 U.S.C. § 103(a) as being considered to be unpatentable in view of U.S. Patent No. 6,505,048 to Moles et al. ("Moles").

Claims 4, 14 and 26 have been canceled rendering the rejection with respect to these claims moot.

In order to establish a *prima facie* case of obviousness:

"First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations." *In re Vaech*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). Manual of Patent Examining Procedure (MPEP), 8<sup>th</sup> Edition, August 2001, §2143.

Claim 1 includes the limitations

receiving a request from a requestor for a location property associated with a location of a computer system; and  
determining whether a privacy preference associated with the requestor has been specified; and  
if a privacy preference associated with the requestor has not been specified, requesting a privacy preference associated with the requestor from the user in response to receiving the request.

(Claim 1)(Emphasis added)

Applicants respectfully submit that Moles does not teach or suggest requesting a privacy preference associated with a requestor in response to receiving a request, if a privacy preference associated with the requestor has not been specified.

Moles discloses a location privacy feature for wireless mobile stations and method of operation. According to Moles, control circuitry capable of being selectively set to disable the transmission of information concerning the location of the wireless mobile station includes a directory of telephone numbers of locations authorized to receive information concerning the location of the wireless mobile station. Moles also discloses control circuitry capable of receiving a code that causes the wireless mobile station to transmit information concerning the location of the wireless mobile station and methods for selectively disabling the transmission of information concerning the location of the wireless mobile station. (Moles, Abstract).

Moles does not teach or suggest querying a user for a privacy preference associated with a requestor in response to receiving a request from the requestor for location information, if a privacy preference has not previously been specified.

It is stated in the Office Action on page 7 in reference to claim 18, that col. 6, lines 57-61 are considered to disclose such a feature. This portion of Moles states:

“Location privacy flag 272 may be selectively set to cause wireless mobile station to not transmit information concerning the location of wireless mobile station 112. The user can selectively set the value of location privacy flag 272 by

entering data through keypad 250 in response to a menu displayed on display unit 255."

This passage of Moles refers to the capability to selectively set a location privacy flag. There is no mention of asking a user to set a privacy preference in response to a request. Instead, according to Moles, the user must selectively set a value of a privacy flag through a menu. There is no teaching or suggestion that the menu of Moles is displayed in response to receiving a request for location information from a requestor for which a privacy preference has not previously been specified.

For at least this reason, claim 1 is patentably distinguished over Moles.

Independent claims 7, 13, 18 and 23 include a similar limitation to that argued above in reference to claim 1.

Claims 2-3 and 5-6, claims 8-12, claims 15-17, claims 19-22 and claims 21-25 and 27-28 depend from and further limit claims 1, 7, 13, 18 and 23, respectively.

Thus, for at least the same reasons argued above in reference to claim 1, claims 2-3, 5-13, 15-25 and 27-28 should be found to be patentable over Moles.

Further, Moles does not teach or suggest, for example, providing a pop-up dialog box as set forth in claims 6, 15, 19 and 27, providing an option during BIOS configuration to enable/disable location-aware computing as set forth in claims 8 and 21 or using ACPI-based techniques as set forth in claims 12 and 22.

Based on the foregoing, applicants respectfully submit that the applicable rejections have been overcome and that claims 1-3, 5-13, 15-25 and 27-28 are in condition for allowance. If the Examiner disagrees or believes that further discussion will expedite prosecution of this case, the examiner is invited to telephone applicants' representative at the number indicated below.

If there are any charges, please charge Deposit Account No. 50-0221.

Respectfully submitted,

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/Cynthia Thomas Faatz/  
Cynthia Thomas Faatz  
Registration No. 39,973  
Intel Corporation  
M/S SC4-202  
2200 Mission College Blvd.  
Santa Clara, CA 95054  
(530) 268-1442